

Appl. No. 10/696,216
Amdt. Dated February 15, 2007
Reply to Office action of November 21, 2006

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to FIG. 1. This sheet, which includes FIGS. 1 and 2, replaces the original sheet including FIGS. 1 and 2. In FIG. 1, the line upon which the sectional view of FIG. 2 is taken is now included.

Attachment: Replacement Sheet (1)

REMARKS

This is a full and timely response to the non-final Office action mailed November 21, 2006. Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Claims 1-6 are now pending in this application, with Claim 1 being the sole independent claim. Claim 1 has been amended, and Claims 7-12 have been canceled herein. No new matter is believed to have been added.

Before proceeding to the merits of the Office action, the undersigned would like to thank Examiner Luong for providing a clear and detailed communication. The labeled drawings included with the Office action were extremely helpful in determining how the examiner was interpreting each claim element.

Objections to the Drawings

The drawings were objected to under 37 C.F.R. § 1.84(h)(3) because FIG. 1 did not specify the line along which the cross section view of FIG. 2 was taken. The drawing amendments included herewith are believed to fully resolve this objection. As such, withdrawal of the same is requested.

Objections to the Specification

The specification was objected to because the description of FIG. 2 did not describe which line in FIG. 1 that the associated cross section view is associated. The specification has been appropriately amended to moot this objection, and its withdrawal is requested.

Claim Objections

Claims 1-6 were objected to for a minor informality in Claim 1. This minor informality has been corrected, and reconsideration and withdrawal of the objection is requested.

Rejections Under 35 U.S.C. § 112, Second Paragraph

Claim 8 was rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. This claim has been canceled herein, thereby mooted this rejection.

Rejections Under 35 U.S.C. § 102

Claims 1-3, 5, 7-9, and 11 were rejected under 35 U.S.C. § 102 as allegedly being anticipated by U.S. Patent No. 6,262,505 (Hockney et al.). This rejection is respectfully traversed.

Independent Claim 1 now recites, *inter alia*, an actuator assembly disposed within the housing assembly and configured, in response to commands supplied thereto, to selectively move the one or more auxiliary bearing assemblies into and out of contact with the shaft. The auxiliary bearings disclosed in Hockney et al. continuously engage the shaft. Thus, the disclosed device does not include, nor does it even need, an actuator assembly to selectively move the auxiliary bearings into and out of contact with the shaft.

In view of the foregoing, reconsideration and withdrawal of the § 102 rejection is requested.

Rejections Under 35 U.S.C. § 103

Claims 4 and 10 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Hockney et al., and Claims 6 and 12 were under 35 U.S.C. § 103 as allegedly being unpatentable over Hockney et al. and U.S. Patent No. 5,747,907 (Miller). This rejection is respectfully traversed.

As noted above, Hockney et al. fails to disclose an actuator assembly. Indeed, it fails to even hint at providing one. Miller also fails to disclose or suggest an actuator assembly that moves the auxiliary bearings into and out of contact with the shaft. In particular, Miller the disclosed actuator assembly does not selectively move the auxiliary bearings into and out of contact with the shaft. Rather, as with Hockney et al., the auxiliary bearings are continuously in contact with the shaft.

In view of the foregoing, reconsideration and withdrawal of the § 103 rejections are also respectfully solicited.

Conclusion

Based on the above, independent Claim 1 is patentable over the citations of record. The dependent claims are also deemed patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

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Dated: February 15, 2007

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